

REMARKS

In the final office action mailed July 24, 2008, the Examiner rejected all pending claims 1-15. In reply, Applicant has amended independent claims 1, 6, and 11. As such, claims 1-15 are pending. Applicant request favorable consideration of the claims in view of the amendments and the following remarks.

Independent claim 1 is amended to recite “generating a user interface including at least (i) a logic flow area for a user to define a command structure for the configuration program including at least one step and (ii) a refinement area for the user to specify a configuration detail regarding a step arranged in the logic flow area” and that “the step and the previous step are arranged in the logic flow area and the user specifies the rule in the refinement area”.

These amendments are supported by the present disclosure. For example, an example of a logic flow area 84 and a refinement area 88 are shown in FIGS. 4-5. Specification 18:21—22:12. Independent claims 6 and 11 are amended along the same lines as independent claim 1 and these amendments are also supported as noted above.

Independent claim 11 is also amended to clarify that the machine-readable instructions are tangibly stored on the machine-readable medium and are executed by a processor to perform the operations recited in the claim.

These amendments are supported by the present disclosure. For example, FIGS. 1-2 show examples of processor-based implementations. Specification 6:5—17:9; 22:13—23:1.

No new matter is added.

**Claim Rejections - 35 U.S.C. § 101**

The Examiner rejected claims 11-15 under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. The Examiner took the position that claims 11-15 fail to fall within a statutory category of invention as they were allegedly directed to a program itself, not a process occurring as a result of executing the program.

Without conceding that the rejection has merit, Applicant has amended claim 11 to recite that the machine-readable instructions are tangibly stored on the machine-readable medium and are executed by a processor to perform the operations recited in the claim.

It appears the Examiner believes a program itself is not statutory subject matter. However, claim 11 does not recite a program itself, but rather an article comprising a machine-readable medium. Moreover, the machine-readable medium tangibly stores machine-readable instructions that cause a processor to perform operations. Courts have accepted program products as statutory subject matter. *See, e.g., In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995). *See also* MPEP 2106.1.

As such, Applicant submits that the Applicant asks that the Examiner remove the rejection of claims 11-15 on this basis.

#### **Claim Rejections - 35 U.S.C. § 103**

The Examiner rejected pending claims 1-3, 5-8, 10-13, and 15 under 35 U.S.C. § 103(a) as allegedly being anticipated by SAP Wizard Builder (a reference provided by the Applicant in an Information Disclosure Statement and referred to as "Screen Shots of a Wizard Builder sold by SAP AG, 7 sheets). The Examiner also rejected remaining pending claims 4, 9, and 14 under 35 U.S.C. § 103(a) as being unpatentable over SAP Wizard Builder in view of Watson-Luke et al. (U.S.20050114240). Claims 1, 6, and 11 are independent. These rejections are rendered moot by the above amendments. Without conceding that the rejections have merit, Applicant submits that claims 1-15, as amended, are patentable over the prior art of record.

First, Applicant agrees with the Examiner that not all features of the independent claims are disclosed by the SAP Wizard Builder. (Office action page 3.)

Second, Applicant submits that the independent claims as amended are patentable over the SAP Wizard Builder. Applicant's claim 1 is directed to a method to be executed as part of a process for creating an executable configuration program that comprises multiple steps that are successively executed and wherein associated with each of the steps are user-selectable options. Particularly, the method recites that a user interface is generated that includes a logic flow area for defining a command structure for the configuration program, and a refinement area for

specifying a configuration detail regarding a step arranged in the logic flow area. SAP Wizard Builder does not disclose the logic flow area and the refinement area.

Screen shots 1-7 of the SAP Wizard Builder appear to generally illustrate steps that are performed when building a wizard. The SAP Wizard Builder is taken as characterized in Applicant's previous response. The Examiner copied part of screen shot 5 in the office action. However, neither this screen shot nor any of the others disclose the logic flow area and the refinement area as recited in the present claims.

The SAP Wizard Builder reference does not disclose or suggest a method that includes "generating a user interface including at least (i) a logic flow area for a user to define a command structure for the configuration program including at least one step and (ii) a refinement area for the user to specify a configuration detail regarding a step arranged in the logic flow area". Similarly, the SAP Wizard Builder does not disclose the creation of a rule wherein "the step and the previous step are arranged in the logic flow area and the user specifies the rule in the refinement area".

Independent claims 6 and 11 recite similar features. As such, it cannot be said that Applicant's independent claims are anticipated by the SAP Wizard Builder reference. The independent claims are therefore patentable over the reference.

The Examiner cited Watson-Luke et al. teaches that creating the textual explanation comprises translating the textual explanation into at least one different language. However, no reference is made to a method which is dependent upon user created rules for displaying user-selectable options before translating the "textual explanation" of the user-selectable options. As such, it cannot be said that Applicant's claims 4, 9, and 14 are rendered obvious by this reference.

Accordingly, Applicant requests that the Examiner remove the obviousness rejection of claims 1-3, 5-8, 10-13, and 15, as well as the obviousness rejection of claims 4, 9, and 14.

## **Conclusion**

Applicant requests favorable consideration of claims 1-15 as amended.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply \$810 for the Request for Continued Examination fee and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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